

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DAVE NAGY,

Plaintiff,

v.

GROUP LONG TERM DISABILITY PLAN
FOR EMPLOYEES OF ORACLE
AMERICA, INC., et al.,

Defendants.

Case No. [14-cv-00038-HSG](#)

**ORDER REGARDING
RECALCULATION OF ATTORNEY'S
FEES**

Pursuant to the Memorandum issued June 21, 2018 by the Ninth Circuit Court of Appeals, the parties state that they have met and conferred and recalculated the attorney's fees awarded by the Report and Recommendation (Attorney's Fees), Dkt. No. 146, and the February 23, 2017 Order Adopting Magistrate Judge's Report and Recommendation re: Motion for Attorney's Fees, etc., Dkt. No. 152, as follows, Dkt. No. 171:


1. The Report and Recommendation reduced the attorney time and paralegal time by 10%, resulting in a total award of 339.9 attorney hours plus 81.4 paralegal hours.
2. The parties agree to remove 34.3 attorney hours plus 4.4 paralegal hours as "post-remand" work which the Ninth Circuit held not to be compensable.
3. The Report and Recommendation reduced all hours by 10%; therefore an additional 30.87 (34.3 – 3.43) attorney hours and 3.96 (4.4-.44) paralegal hours should be reduced, leaving a total of 309.03 attorney hours at \$500 per hour or \$154,515 attorney's fees plus 77.44 paralegal hours at \$195 per hour = \$15,100.80 for a total of \$169,615.80.
4. In addition, Mr. Nagy has previously been awarded \$1,223.68 in costs, filed July 26, 2016, Dkt. No. 107. Those costs relate to this Court's judgment of June 9, 2016, Dkt. No. 94.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

5. Post-judgment interest runs from February 23, 2017, through August 23, 2018, at the agreed rate of 1.7% = \$4,325.19. Daily interest beginning August 24, 2018 at 2.44% = \$11.34/day until paid.
6. Upon payment of the above, Plaintiff shall file a notice of satisfaction of judgment. Upon filing of the notice of satisfaction, the Clerk shall release the bond on appeal. Dkt. 158-1, filed April 7, 2018.

IT IS SO ORDERED.

Dated: 8/22/2018


HAYWOOD S. GILLIAM, JR.
United States District Judge